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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X CASE NO: 19-cv-3490 (GBD)

TIMOTHY DANIELS,

PLAINTIFF,

PLAINTIFF FIRST AMENDED  
COMPLAINT AS OF RIGHT

PURSUANT TO FEDERAL  
RULES OF CIVIL PROCEDURE  
("FRCP")  
RULE 15 (1)(B)

-against-

(Plaintiff demands a trial by jury  
of all issues herein)

THE CITY OF NEW YORK; "JOHN DOE" AND  
"RICHARD ROE",

DEFENDANTS.

-----X

The plaintiff, by and through his attorney Gary S. Fish, Esq., in response to defendant February 14, 2020 FRCP Rule 12(b) motion to dismiss, sets forth the following as his FRCP Rule 15(1)(B) amendment as of right of his April 19, 2019 efiled Complaint, served on defendant The City of New York on or about May 7, 2019.

#### I. PARTIES AND JURISDICTION

1. On or about April 23 2016, and at all times relevant herein, the plaintiff, an African-American Male, resided and resides at 230 West 131<sup>st</sup> Street, #7E, NY, NY 10027.